

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

JOHN E. WHITE,)	
)	
Plaintiff,)	
v.)	Case No. 4:08-cv-278-VEH-TMP
)	
RICHARD CARTER, <i>et al.</i>,)	
)	
Defendants.)	

ORDER

The magistrate judge filed a report and recommendation on July 24, 2008, recommending that all claims in this action, except the invasion of bodily privacy and retaliation claims against defendants Lesley, Swain, LaShore, and Massey and the excessive force claim against defendant Willet, be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). The magistrate judge further recommended that the invasion of bodily privacy and retaliation claims against defendants Lesley, Swain, LaShore, and Massey and the excessive force claim against defendant Willet be referred to the magistrate judge for further proceedings. No objections have been filed. Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the magistrate judge's recommendation is

ACCEPTED. It is therefore **ORDERED, ADJUDGED, and DECREED** that all of the plaintiff's claims in this action, except the invasion of bodily privacy and retaliation claims against defendants Lesley, Swain, LaShore, and Massey and the excessive force claim against defendant Willet, are due to be and hereby are **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1). It is further **ORDERED** that the invasion of bodily privacy and retaliation claims against defendants Lesley, Swain, LaShore, and Massey and the excessive force claim against Willet are **REFERRED** to the magistrate judge for further proceedings.

The Clerk is **DIRECTED** to serve a copy of this order upon the plaintiff.

DONE this the 22nd day of August, 2008.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", is written over a horizontal line.

VIRGINIA EMERSON HOPKINS
United States District Judge